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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s): Candelore et al.
Filed: 02/09/2004
Serial No.: 10/774,870
Confirmation No.: 8804
Art Unit: 2431
Examiner: Moorthy, Aravind K.
Docket Number: SNY-T5780.01
Title: Transcoding Cablecard

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<u>CERTIFICATE OF MAILING/ EXPRESS MAILING / FAX TRANSMISSION</u>		
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<u>JERRY A. MILLER</u> Reg. No. 30,779 (Applicant, Assignee or Reg. Representative)		<u>/Jerry A. Miller 30779/</u> Signature
		<u>1/21/10</u> Date

INFORMATION DISCLOSURE STATEMENT

Sir:

The undersigned submits herewith patents, publications or other information (enclosed herewith and/or listed on the enclosed "Information Disclosure Statement" form) of which he is aware, which he believes is relevant and may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR §1.56. The order of listing of the references on the attached form and any appendix hereto is without regard for relative relevance to the present invention.

This Information Disclosure Statement is submitted:

- ☐ Under 37 CFR §1.97(b).
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; or before the mailing date of a first office action after filing an RCE)

☒ Under 37 CFR §1.97(c).

☒ Below is a statement under 37 CFR §1.97(e), or

☐ An IDS submission fee under 37 CFR §1.17(p).

(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first. Either a statement under 37 CFR 1.97(e) or an IDS submission fee under section 1.17(p) is required.)

☐ Under 37 CFR §1.97(d).

☐ Below is a statement under 37 CFR §1.97(e), and

☐ An IDS submission fee under 37 CFR §1.17(p).

(Filed after the period of 37 CFR §1.97(c) final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

The undersigned hereby certifies under 37 CFR §1.97(e) that:

☒ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or

☐ No item of information contained in the Information Disclosure Statement
-- was cited in a communication from a foreign patent office in a counterpart foreign application, and
-- to the knowledge of the undersigned, after making reasonable inquiry, was known to an individual designated in 37 CFR §1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

A concise explanation of relevance of the items listed on the attached form:

☐ Additional information is provided in an appendix to this communication.

☐ Appears in the body of the application.

☐ Is given for non-English language listed item(s) [Required] and appears in an appendix to this communication.

☐ Is in the form of an English language copy of a Search Report (copy attached) from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, this statement does not constitute an admission that any patent, publication or other information referred to therein is "prior art" or "material" to this invention or any application for patent for this invention.

In accordance with 37 CFR §1.97, the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that other information that may be material as defined in 37 CFR §1.56 exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.97 and §1.98 and MPEP §609. The

Examiner is requested to fully consider each of these references and acknowledge such consideration by appropriately initialing the attached form and returning a copy to the address below. In addition, the Examiner is requested to conduct a thorough independent search in order to bring the best references available forward in this application.

- ☒ [X] No fee is believed to be required for this IDS.
- ☐ [] A check for the above fees is enclosed.
- ☐ [] Please charge the IDS fee of \$180 to my credit card. See the enclosed credit card charge authorization form.
- ☒ [X] The commissioner is hereby authorized to charge any additional fees which may be required for this submission, or credit any overpayment to my Deposit Account No. 50-1267.

Respectfully submitted,

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Dated: 1/21/10

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